

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

KEITH EARL ROBINSON,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. CIV-20-00097-JD
JEORLD BRAGGS,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Suzanne Mitchell entered on February 6, 2020. [Doc. No. 6].

The Report and Recommendation applied Rule 4 of the Rules Governing Section 2254 Cases and examined the Petition for Writ of Habeas Corpus [Doc. No. 1]. The Report and Recommendation noted that Petitioner challenges his conviction in the District Court of Washington County, which is in the Northern District of Oklahoma. [Doc. No. 6]. *See also* 28 U.S.C. § 116(a). The Report and Recommendation recommends the transfer of this action to the United States District Court for the Northern District of Oklahoma for all further proceedings followings its analysis and given the “longstanding policy favoring transferring habeas actions to the district of conviction.” [Doc. No. 6 at 2-3]. *See also* 28 U.S.C. § 2241(d).

Judge Mitchell advised Petitioner that he may file an objection to the Report and Recommendation with the Clerk of Court by February 27, 2020, and that failure to timely object to the Report and Recommendation waives the right to appellate review of both

factual and legal issues contained in the Report and Recommendation. [Doc. No. 6 at 3].
See also 28 U.S.C. § 636.

The record reflects that no objection to the Report and Recommendation has been filed by the deadline, and no extension of time to object has been requested. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991) (explaining that the Tenth Circuit’s “firm waiver rule” “provides that the failure to make timely objection to the magistrate’s findings or recommendations waives appellate review of both factual and legal questions”).

With no objection being filed within the time limits, the Court accepts, adopts, and affirms the Report and Recommendation in its entirety, and this case should be transferred to the United States District Court for the Northern District of Oklahoma.

The Court therefore ADOPTS the Report and Recommendation [Doc. No. 6] in its entirety for the reasons stated therein. The Clerk of the Court is directed to transfer this matter to the United States District Court for the Northern District of Oklahoma for all further proceedings.

IT IS SO ORDERED this 2nd day of March 2020.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE